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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TAE-SI KIM, an individual, and JIN-SUNG
HONG, an individual,

Plaintiffs,

v.

ADAM B. KEARNEY, an individual;
EDWARD C. REED, an individual; BARBARA
R. REED, an individual; BARBIE, LTD., d/b/a
RE/MAX EXTREME, a Nevada corporation;
FIRST AMERICAN TITLE, a foreign
corporation; RE/MAX INTERNATIONAL,
INC., a Colorado corporation; GINA THOMAS,
an individual; ALVERSON, TAYLOR,
MORTENSEN & SANDERS, a Nevada law
firm; the Estate of JAMES L. ZEMELMAN,
ESQ.; CUMORAH CREDIT UNION, a Nevada
non-profit corporation; CHARLES M. DAMUS,
ESQ., an individual; VALLEY FORECLOSURE
SERVICES, LLC, a Nevada limited-liability
company; RICHARD L. TOBLER, ESQ., an
individual; and RICHARD L. TOBLER, LTD., a
Nevada corporation,

Defendants.

Case No.: 2:09-cv-02008-PMP-GWF

**~~(PROPOSED)~~
ORDER GRANTING MOTION FOR
JUDGMENT DEBTOR EXAMINATION
AND TO PRODUCE DOCUMENTS**

Plaintiffs, Tae-Si Kim (“Ms. Kim”) and Jin-Sung Hong (“Mr. Hong”; collectively with
Ms. Kim, “Plaintiffs”), by and through their counsel, Dickinson Wright PLLC, having filed
Plaintiffs’ Motion for Judgment Debtor Examination and to Produce Documents (the “Motion”);

1 this Court having now given due consideration to the Motion as well as all papers, pleadings, and
2 exhibits offered in support thereof by Plaintiffs; and the Court being further advised in the
3 matter, it is therefore:

4 ORDERED, ADJUDGED and DECREED that Mr. Kearney shall produce documents to
5 Plaintiffs in accordance with the following requests by no later than ***Monday, July 16, 2012***.

6 1. Produce all Tax Documents at any time from January 1, 2003 to
7 the present date.

8 2. Produce all Financial Documents at any time from January 1,
9 2003 to the present date.

10 The following definitions shall apply to the foregoing document requests:

11 1. "Content" shall mean all material, information, matter, text,
12 software, data, graphics, computer-generated displays and
13 interfaces, images, and works of any nature, including, without
14 limitation, all compilations of the foregoing and all results and/or
15 derivations of the expression of the foregoing.

16 2. "Document" shall mean all Content embodied in any tangible
17 media, whether in draft, in final, original or reproduction, signed or
18 unsigned, and regardless of whether or not approved, sent,
19 received, redrafted, or executed. "Document" shall exclude exact
20 duplicates when originals are available, but shall include all copies
21 made different from originals by virtue of any writings, notations,
22 symbols, characters, impressions, or any other marks thereon.

23 3. "Financial Document" shall mean any Document with Content
24 Relating to or referencing any financial activities, financial
25 performance, profits, losses, monetary receipts and/or expenditures
26 published in an aggregated form, including, without limitation,
27 accounting records, annual reports, balance sheets, banking
28 statements, cash flow statements, depreciation records, distribution
statements, earnings statements, employee compensation structure,
executive compensation structure, managerial compensation
structure, financial statements, income statements, journals
Relating to financial transactions, profit-and-loss statements,
records of financial transactions, reports on assets, revenue
statements, statements of financial condition summaries of capital
expenditures and summaries of operating expenses.

4. To "Produce" a Document shall mean to provide a copy of the
Document to Plaintiffs' counsel, Dickinson Wright PLLC, 7201

1 West Lake Mead Boulevard, Suite 503, Las Vegas, Nevada 89128
2 or to make the Document available for inspection by Plaintiffs'
3 counsel, at a mutually convenient time, with such time being
4 during normal working hours and on consecutive dates, if so
5 requested by Plaintiffs' counsel. After inspecting any such
6 Document Plaintiffs' counsel shall have the option of requesting a
7 printout of the Document.
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5. "Relating to" or "Relate to" shall mean referring to, concerning,
6 regarding, constituting, comprising, containing, setting forth,
7 summarizing, reflecting, stating, describing, recording, noting,
8 embodying, mentioning, studying, analyzing, evidencing, arising
9 out of, discussing or evaluating, directly or indirectly.

6. "Tax Documents" shall mean tax returns (whether state, federal,
10 and/or foreign), United States federal forms W-2, United States
11 federal forms W-4, United States federal forms 1099, United States
12 federal forms 1065, and United States federal forms K-1 and all
comparable state and/or foreign wage and/or tax reporting forms.

13 It is further ORDERED that Mr. Kearney shall appear for a judgment debtor examination
14 on *Tuesday, July 31, 2012 at 9:30 a.m.* at the office of Dickinson Wright PLLC, 7201 West
15 Lake Mead Boulevard, Suite 503, Las Vegas, Nevada 89128, before an officer duly authorized to
16 administer oaths and before a stenographer using automated equipment.

17 **IT IS SO ORDERED.**

18 DATED: June 15, 2012

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21 George W. Foley
22 United States Magistrate Judge
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